

REMARKS/ARGUMENTS

Claims 1-38 are pending in the present application. No claims were added or cancelled. Claims 5, 9, 11, 15, 19, 23, 25, 31, 35, and 37 were amended. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 103, Obviousness, claims 1, 7, 8, 12-15, 21, 22, 26, 27, 33, 34, and 38

The Office Action rejects claims 1, 7, 8, 12-15, 21, 22, 26, 27, 33, 34, and 38 under 35 U.S.C. § 103(a) as being unpatentable over Edelman, U. S. Patent No. 6,857,067 B2 in view of Mohaban et al., U.S. Patent No. 6,788,647 B1. This rejection is respectfully traversed.

Regarding Claims 1 and 15, the Office Action states:

Regarding claims 1 and 15, Edelman teaches a the invention substantially as claimed. Edelman discloses a method in a data processing system for processing a request, the method comprising:

receiving the request (column 3, lines 42-45; column 4, lines 43-55);

responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration (column 10, lines 13-63). However, Edelman does not specifically teach the current policy configuration to be a for a quality of service and that responsive to a match between the first hash value and the second hash value, setting a quality of service based on information associated with the first hash value.

In the same field of endeavor, Mohaban discloses a method for "creating and storing an entry in a table that uniquely identifies the network data flow and that includes the inbound value" [See Mohaban; column 6, lines 1-15; column 8, lines 40-67; column 9, lines 1-3].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Mohaban's teachings of a method and apparatus to use hash value to set the quality of service, with the teachings of Edelman, for the purpose of "*preventing unauthorized access to electronic data stored on an electronic device*" as stated by Edelman in lines 1-4 of column 5. Thus, Mohaban also provides motivation to combine by stating a need to also provide to the network with "*a way to set quality of service values for packets transmitted in the network flow in both directions of a flow among a sender and a receiver.*" [See Mohaban column 5, lines 5-8]. By this rationale claims 1 and 15 are rejected.

Final Office Action dated December 28, 2005, pages 3 and 4.

A fundamental notion of patent law is the concept that invention lies in the new combination of old elements. Therefore, a rule that every invention could be rejected as obvious by merely locating each element of the invention in the prior art and combining the references to formulate an obviousness rejection is inconsistent with the very nature of "invention." Consequently, a rule exists that a combination of references made to establish a *prima facie* case of obviousness must be supported by

some teaching, suggestion, or incentive contained in the prior art which would have led one of ordinary skill in the art to make the claimed invention.

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992).

Additionally, in comparing Edelman to the claimed invention, the claim limitations of the presently claimed invention may not be ignored in an obviousness determination.

Independent claim 1, which is representative of independent claims 13, 15, and 27 with regard to similarly recited subject matter, recites:

1. A method in a data processing system for processing a request, the method comprising:
 - receiving the request;
 - responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration for a quality of service; and
 - responsive to a match between the first hash value and the second hash value, setting a quality of service based on information associated with the first hash value.

Edelman does not teach or suggest all the claim limitations in independent claim 1. Specifically, Edelman does not teach the feature of responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration. Such a feature is not taught or suggested by Edelman. Therefore, claim 1 is not obvious in view of Edelman because the features believed to be disclosed by this cited reference are not present.

The Office Action points to column 10, lines 13 through 63 of Edelman, reproduced below for the Examiner's convenience, as teaching the feature of responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration:

The private key used by the software protection administrator may be one of a set of private keys, e.g., a set of 100 keys. Using a large set of private keys makes cracking any particular key in the set more difficult, since a different key may be used for each update.

The client program receives the new data and encrypted hash and stores it on the smart card. Each time the smart card is accessed in this manner, the smart card performs a hash comparison using its internal processor to prevent unauthorized changes to the smart card data.

To perform the hash comparison, the smart card processor decrypts the hash received from the registration authority using a public key. The smart card then generates a hash for the new data. The generated hash and the decrypted hash are compared to ensure that the new data came from the registration authority.

The new smart card data sent by the registration authority also includes a new smart card sequence number, a new expiration date for the smart card, software license expiration dates, and software security expiration dates.

The smart card sequence number allows the registration authority to track updates to the smart card. For example, the sequence number may be an n-bit (where n is an integer) word that is incremented each time the smart card is updated. This feature allows the registration authority to detect unauthorized access to the smart card.

The software license expiration date is determined by a configurable time period during which the license is valid based on the license agreement with the user. For example, the software license expiration period may be one hour, one day, thirty days, one year, or any agreed upon period of time.

Each software license may have a corresponding software security expiration date that is determined by a configurable time period within which the user must reconnect to the registration authority to renew the software license. The software security expiration period may be determined by the vendor based on security considerations and may be any desired length of time.

The smart card expiration date is determined by configurable time period during which the smart card will operate. The smart card expiration period may be determined by the software protection administrator based on security or other considerations and may be any desired length of time, e.g., 30 days. The smart card expiration period may be set to be equal to the shortest software security expiration period stored on the card.

The smart card must be updated by the registration authority within the smart card expiration and software security expiration periods for the user to have uninterrupted use of the software. Consequently, if a smart card were lost or stolen, an unauthorized user would only be able to use the smart card for the remainder of the shortest of these expiration periods. In addition, the lost or stolen smart card can be disabled the next time the electronic device communicates with the registration authority.

The above cited passage of Edelman teaches decrypting a hash provided from a third party and then generating a hash for new data received and comparing the two hashes. Matching the two hashes verifies that the data came from the same source as the encrypted hash and that the data is therefore valid.

While the above cited passage does teach comparing two hashes, neither these hashes nor any other portion of Edelman, is directed towards policies. The MPEP § 2173.05(a) states "When the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning, in order to achieve a complete exploration of the applicant's invention and it's relation to the prior art." *In re Zeltz*, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989). The specification, on page 9, lines 26 through 28, defines the term "policy" as "a set of rules, also referred to as policy rules, used to handle packets."

The Edelman reference is not concerned with packets or policies for handling packets. As Edelman does not teach packets or policies for handling packets, the above cited passage of Edelman cannot teach a second hash value that represents a current policy configuration. Thus, Edelman does not teach the feature of responsive to a first hash value being present within the

request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration.

Furthermore, Mohaban does not cure the deficiencies of Edelman. Mohaban does not teach the feature missing from Edelman, responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration, nor does the Examiner point to any portion of Mohaban that teaches this feature.

Therefore, as neither Edelman nor Mohaban nor the combination of Edelman in view of Mohaban teaches responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration, it follows that neither Edelman nor Mohaban nor the combination of Edelman in light of Mohaban teaches the feature of "responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration for a quality of service," as recited in claim 1 of the present invention. Accordingly, the Office Action fails to state a case of *prima facie* obviousness.

Additionally, stating that it is obvious to try or make a modification or combination without a suggestion in the prior art is not *prima facie* obviousness. The mere fact that a prior art reference can be readily modified does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Laskowski*, 871 F.2d 115, 10 U.S.P.Q.2d 1397 (Fed. Cir. 1989) and also see *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992) and *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1993). The Office Action may not merely state that the modification would have been obvious to one of ordinary skill in the art without pointing out in the prior art a suggestion of the desirability of the proposed modification.

Obviousness under section 103 is directed to **compositions and methods**, and not to making efforts and attempts. Slight reflection suggests that there is an element of "obvious to try" in any research endeavor, that it is not undertaken with complete blindness but rather with some semblance of a chance of success, and patentability determinations based on that as a test would result in a marked deterioration of the entire patent system as an incentive to invest in those efforts and attempts which go by the name of research. Therefore, a modification or combination is obvious only if it is obvious to do from some teaching or suggestion in the prior art with a reasonable expectation of success.

The Office Action does not provide any valid motivation to combine the cited references. The alleged motivations provided by the Office Action are a restatement of the problem that each reference is trying to solve, without making any connection between the two problems or stating how the problems are in any way related. Neither of the references teaches anything about the problem or source of the

other reference. "It is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." *In re Hedges*, 228 U.S.P.Q. at 687. Thus, when Edelman is examined as a whole, Edelman teaches one of ordinary skill in the art a method for validating the source of received data and for preventing unauthorized access to electronic data stored on an electronic device. Mohaban is directed towards a method for "automatic reverse-direction or bi-directional quality of service treatment of network data flows." (see Mohaban, Abstract). As neither reference teaches anything about the problem or source of the other reference, one of ordinary skill in the art would not be motivated to make the Office Action's proposed changes.

Furthermore, no motivation exists to combine the cited references. The present invention recognizes the need for an improved method of classifying packets in order to decrease the time needed to route a package to its destination. Edelman does not teach the problem or its source. Instead, Edelman is directed to validating the source of received data and preventing unauthorized access to electronic data stored on an electronic device. Neither does Mohaban teach the problem or its source. Instead, Mohaban is directed towards automatic reverse-direction or bi-directional quality of service treatment of network data flows." (see Mohaban, Abstract). The process Edelman describes occurs in the application layer, whereas the problem and solution taught by Mohaban occur in the transport layer. Neither of the cited references teaches the problem or source of the problem solved by the present invention. Therefore, one of ordinary skill in the art would not be motivated to combine or modify the references in the manner required to form the solution disclosed in the claimed invention. Accordingly, it is not possible to state a *prima facie* case of obviousness.

The presently claimed invention may be reached only through an improper use of the disclosed invention as a template to modify the prior art to reach the claimed invention. An Examiner may not make modifications to the prior art using the claimed invention as a model for the modifications. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780, 1783-1784 (Fed. Cir. 1992). "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art has suggested the desirability of the modification." *Id.* In other words, unless some teaching exists in the prior art for the suggested modification, merely asserting that such a modification would be obvious to one of ordinary skill in the art is improper and cannot be used to meet the burden of establishing a *prima facie* case of obviousness. Such reliance is an impermissible use of hindsight with the benefit of Applicants' disclosure.

Therefore, absent some teaching, suggestion, or incentive in the prior art, Edelman and Mohaban cannot be properly modified to form the claimed invention. As a result, absent any teaching, suggestion,

or incentive from the prior art to make the proposed modifications, the presently claimed invention can be reached only through an impermissible use of hindsight with the benefit of Applicants' invention as a model.

One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780, 1784 (Fed. Cir. 1992).

Furthermore, even if Edelman and Mohaban could be properly combined, a combination of Edelman and Mohaban would not form the presently claimed invention as recited in claim 1. Instead, a combination of Edelman and Mohaban would, at best, result in a method for validating the source of received data and preventing unauthorized access to electronic data stored on an electronic device, which can also provide automatic reverse-direction or bi-directional quality of service treatment of network data flows.

Additionally, Mohaban teaches examining each inbound data packet, determining a quality of service and a flow for the data packet. The quality of service value is stored along with information identifying the network data flow in a hash table. However, the hash itself is a hash of the information that identifies the flow, not a hash that represents the quality of service, as recited in claim 1. When an outbound data packet is detected, Mohaban teaches hashing the information in the outbound data packet that identifies what flow the outbound packet belongs to and comparing that hash value to the hash values in the table and if a match is found, applying the quality of service associated with the hash value that is also stored in the hash table.

Therefore, the combination of Edelman and Mohaban would not reach the presently claimed invention. Accordingly, the Office Action fails to state a case of *prima facie* obviousness.

Thus, for all the reasons set forth above, Applicants submit that independent claims 1, 13, 15, and 27 are patentable over the cited references as neither Edelman, Mohaban nor a combination of Edelman in view of Mohaban teaches the present invention as recited in claims 1, 13, 15, and 27.

Regarding Claim 8, the Office Action states:

Regarding claim 8, the combination Edelman-Mohaban teaches a method in a data processing system for processing a request, the method comprising:

responsive to receiving a request containing a selected cookie in which the selected cookie includes a first hash value and information associated with the hash value, determining whether the first hash value corresponds to a second hash value, wherein the second hash value represents a current policy configuration for

processing requests by the data processing system [see Edelman; column 10, lines 13-63]; [see Mohaban; column 6, lines 1-15; column 8, lines 40-67; column 9, lines 1-3]; and

responsive to a correspondence between the first hash value and the second hash value, processing the request using the information [see Edelman; column 10, lines 13-63]; [see Mohaban; column 6, lines 1-15; column 8, lines 40-67; column 9, lines 1-3]. The same motivation that was used for the rejection of claim 1 is also valid for claim 8 [see Mohaban; column 5, lines 5-8]. By this rationale, claim 8 is rejected.

Final Office Action dated December 28, 2005, pages 4 and 5.

Independent claim 8, which is representative of independent claims 14, 22, and 34 with regard to similarly recited subject matter, recites:

8. A method in a data processing system for processing a request, the method comprising:

responsive to receiving a request containing a selected cookie in which the selected cookie includes a first hash value and information associated with the hash value, determining whether the first hash value corresponds to a second hash value, wherein the second hash value represents a current policy configuration for processing requests by the data processing system; and

responsive to a correspondence between the first hash value and the second hash value, processing the request using the information.

As was discussed above in regards to the rejection of claim 1, neither Edelman, Mohaban, nor the combination of Edelman in view of Mohaban, teaches the feature of "responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration for a quality of service."

Additionally, neither Edelman, nor Mohaban, nor the combination of Edelman in view of Mohaban, teaches receiving a request containing a selected cookie, wherein the selected cookie contains the first hash value and information associated with the first hash value, nor does the Office Action cite to any section of Edelman or Mohaban as teaching this feature. Additionally, on page 9, the Office Action states "Edelman-Mohaban discloses the data processing system of claim 1, but fails to disclose a method wherein the first hash value and the information are located in a cookie within the request."

Therefore, as neither Edelman nor Mohaban nor the combination of Edelman in view of Mohaban teaches receiving a request containing a selected cookie, wherein the selected cookie contains the first hash value and information associated with the first hash value, it follows that neither Edelman nor Mohaban nor the combination of Edelman in light of Mohaban teaches the feature of "responsive to receiving a request containing a selected cookie in which the selected cookie includes a first hash value and information associated with the hash value, determining whether the first hash value corresponds to a

second hash value, wherein the second hash value represents a current policy configuration for processing requests by the data processing system," as recited in claim 8 of the present invention. Accordingly, the Office Action fails to state a case of *prima facie* obviousness.

Additionally, as was discussed above in regards to the rejection of claim 1, the Office Action fails to provide a valid motivation to combine the cited references. Furthermore, as discussed above in regards to the rejection of claim 1, no motivation exists to combine the cited references and the present invention through an improper use of hindsight with Applicants' invention as a model. Also, as was discussed above in regards to the rejection of claim 1, even if the cited references could be properly combined, the references would still not teach the invention as recited in claim 8.

Therefore, for all the reasons set forth above, Applicants submit that independent claims 8, 14, 22, and 34 are patentable over the cited references as neither Edelman, Mohaban, nor a combination of Edelman in view of Mohaban, teach the present invention as recited in claims 8, 14, 22, and 34.

Claims 7, 12, 21, 26, 33 and 38 are dependent claims depending from independent claims 1, 8, 15, 22, 27, and 34. As Applicants have already demonstrated that independent claims 1, 8, 15, 22, 27, and 34 are patentable over the Edelman and Mohaban references, Applicants submit that dependent claims 9-11, 23-25, 35 and 37 are patentable over the Edelman and Mohaban references at least by virtue of depending from an allowable claim.

Therefore, the rejection of claims 1, 7, 8, 12, 22, 26, 27, 33, 34 and 38 under 35 U.S.C. § 103 has been overcome.

II. 35 U.S.C. § 103, Obviousness, claims 2-4, 16-18, and 28-30

The Office Action rejects claims 2-4, 16-18, and 28-30 under 35 U.S.C. § 103(a) as being unpatentable over Edelman, U. S. Patent No. 6,857,067 B2 in view of Mohaban et al., U.S. Patent No. 6,788,647 B1, and further in view of Masters, U.S. Patent No. 6,374,300 B2. This rejection is respectfully traversed.

With regards to claim 2, the Office Action states:

Claims 2-4, 16-18, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edelman and Mohaban, as applied to claims 1, 8, 15, 22, 27 and 34 above, and in further view of Masters (Masters), U.S. Patent No. 6,374,300 B2.

Regarding claim 2, the combination Edelman-Mohaban teaches the invention substantially as claimed. Edelman-Mohaban discloses the data processing system of claim 1, but fails to disclose a method wherein the first hash value and the information are located in a cookie within the request.

Final Office Action dated December 28, 2005, page 9.

Claim 2, which is representative of claims 16 and 28 with regard to similarly recited subject matter, depends from independent claim 1. As was discussed above with regards to the rejection of claim 1, neither Edelman, Mohaban, nor the combination of Edelman in view of Mohaban, teaches the feature of "responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration for a quality of service." Masters does not cure this deficiency. Masters does not teach the feature of "responsive to a first hash value being present within the request, comparing the first hash value to a second hash value, wherein the second hash value represents a current policy configuration for a quality of service," nor does the Office Action cite any portion of Masters as teaching the feature. Masters teaches inserting a hash into a cookie in order to identify a relationship between the client and the destination.

Additionally, stating that it is obvious to try or make a modification or combination without a suggestion in the prior art is not *prima facie* obviousness. The mere fact that a prior art reference can be readily modified does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Laskowski*, 871 F.2d 115, 10 U.S.P.Q.2d 1397 (Fed. Cir. 1989) and also see *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992) and *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1993). The Office Action may not merely state that the modification would have been obvious to one of ordinary skill in the art without pointing out in the prior art a suggestion of the desirability of the proposed modification.

Obviousness under section 103 is directed to **compositions and methods**, and not to making **efforts and attempts**. Slight reflection suggests that there is an element of "obvious to try" in any research endeavor; that it is not undertaken with complete blindness but rather with some semblance of a chance of success, and patentability determinations based on that as a test would result in a marked deterioration of the entire patent system as an incentive to invest in those efforts and attempts which go by the name research. Therefore, a modification or combination is obvious only if it is obvious to do from some teaching or suggestion in the prior art with a reasonable expectation of success.

The Office Action does not provide any valid motivation to combine the cited references. The alleged motivations provided by the Office Action are a restatement of the problem that each reference is trying to solve, without making any connection between the problems of the references or without stating how the problems are in any way related. None of the references teaches anything about the problem or source of the other references. "It is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." *In re Hedges*, 228 U.S.P.Q. at 687. Thus, when Edelman is examined as a whole,

Edelman teaches one of ordinary skill in the art a method for validating the source of received data and for preventing unauthorized access to electronic data stored on an electronic device. Mohaban is directed towards a method for "automatic reverse-direction or bi-directional quality of service treatment of network data flows." (see Mohaban, Abstract). Masters teaches inserting a hash into a cookie in order to identify a relationship between the client and the destination. As none of the references teaches anything about the problem or source of the other references, one of ordinary skill in the art would not be motivated to make the Office Action's proposed changes.

Furthermore, no motivation exists to combine the cited references. The present invention recognizes the need for an improved method of classifying packets in order to decrease the time needed to route a package to its destination. Edelman does not teach the problem or its source. Instead, Edelman is directed to validating the source of received data and preventing unauthorized access to electronic data stored on an electronic device. Neither does Mohaban teach the problem or its source. Instead, Mohaban is directed towards automatic reverse-direction or bi-directional quality of service treatment of network data flows." (see Mohaban, Abstract). Masters does not teach the problem or its source either. Masters teaches inserting a hash into a cookie in order to identify a relationship between the client and the destination. None of the cited references teaches the problem or source of the problem solved by the present invention. Therefore, one of ordinary skill in the art would not be motivated to combine or modify the references in the manner required to form the solution disclosed in the claimed invention. Accordingly, it is not possible to state a *prima facie* case of obviousness.

The presently claimed invention may be reached only through an improper use of the disclosed invention as a template to modify the prior art to reach the claimed invention. An Examiner may not make modifications to the prior art using the claimed invention as a model for the modifications. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780, 1783-1784 (Fed. Cir. 1992). "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art has suggested the desirability of the modification." *Id.* In other words, unless some teaching exists in the prior art for the suggested modification, merely asserting that such a modification would be obvious to one of ordinary skill in the art is improper and cannot be used to meet the burden of establishing a *prima facie* case of obviousness. Such reliance is an impermissible use of hindsight with the benefit of Applicants' disclosure.

Therefore, absent some teaching, suggestion, or incentive in the prior art, Edelman, Mohaban, and Masters cannot be properly modified to form the claimed invention. As a result, absent any teaching, suggestion, or incentive from the prior art to make the proposed modifications, the presently claimed invention can be reached only through an impermissible use of hindsight with the benefit of Applicants' invention as a model.

One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780, 1784 (Fed. Cir. 1992).

Furthermore, even if Edelman, Mohaban, and Masters could be properly combined, a combination of Edelman, Mohaban, and Masters would not form the presently claimed invention as recited in claim 2. Instead, a combination of Edelman, Mohaban, and Masters would, at best, result in a method for using cookies to validate the source of received data and prevent unauthorized access to electronic data stored on an electronic device, which can also provide automatic reverse-direction or bi-directional quality of service treatment of network data flows.

Additionally, Mohaban teaches examining each inbound data packet, determining a quality of service and a flow for the data packet. The quality of service value is stored along with information identifying the network data flow in a hash table. However, the hash itself is a hash of the information that identifies the flow, not a hash that represents the quality of service, as recited in claim 1. When an outbound data packet is detected, Mohaban teaches hashing the information in the outbound data packet that identifies what flow the outbound packet belongs to and comparing that hash value to the hash values in the table and if a match is found, applying the quality of service associated with the hash value that is also stored in the hash table.

Therefore, the combination of Edelman, Mohaban and Masters would not reach the presently claimed invention. Accordingly, the Office Action fails to state a case of *prima facie* obviousness.

Claims 2-4, 16-18, and 28-30 are dependent claims depending from independent claims 1, 15, and 27. As Applicants have already demonstrated that independent claims 1, 15, and 27 are patentable over the combination of Edelman in view of Mohaban and Edelman in view of Mohaban further in view of Masters, Applicants submit that dependent claims 2-4, 16-18, and 28-30 are patentable over the Edelman in view of Mohaban further in view of Masters references, at least by virtue of depending from an allowable claim.

Therefore, the rejection of claims 2-4, 16-18, and 28-30 under 35 U.S.C. § 103 has been overcome.

III. Objection to Claims

The Office Action states that claims 5, 6, 9-11, 19, 20, 23-25, 31, 32, and 35-37 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, the claims have been rewritten to overcome this objection.

IV. Conclusion

It is respectfully urged that the subject application is patentable over Edelman, U. S. Patent No. 6,857,067 B2 in view of Mohaban et al., U. S. Patent No. 6,788,647 B1, considered together or further in view of Masters, U.S. Patent No. 6,374,300 B2, and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Office Action such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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